

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

UNITED STATES OF AMERICA	§	
	§	Case No. 2:22-CR-02
v.	§	
	§	JUDGES GILSTRAP/PAYNE
BRADLEY KYLE MCGEE	§	

FACTUAL BASIS

Investigation by the Federal Bureau of Investigation (FBI), City of Marshall (Texas) Police Department (MPD), Harrison County Sheriff's Office (HCSO), and Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) disclosed the following facts that establish that I, the defendant, **Bradley Kyle McGee**, violated 18 U.S.C. § 922(g)(1) (Felon in Possession of a Firearm) as alleged in Count One of the indictment, and that I accept as true and correct:

1. That I, the defendant, **Bradley Kyle McGee**, am changing my plea to guilty and I am the same person charged in the indictment;
2. That the events described in the indictment occurred in the Eastern District of Texas;
3. That on or about August 21, 2021, in Harleton, Harrison County, in the Eastern District of Texas, and elsewhere, I knowingly possessed a firearm, namely, a Taurus, model 709 Slim, 9mm caliber pistol;
4. Specifically, HCSO deputies attempted to detain me while driving a motorcycle in Harleton, Texas, for a traffic violation. I evaded detention initially and, after a 20-minute pursuit, I pulled over and surrendered to deputies in Gilmer, Upshur

County, in the Eastern District of Texas. After taking me into custody for the Texas felony offense of Evading Arrest or Detention with a Motor Vehicle, officers lawfully searched my person incident to arrest, during which they located and seized the aforementioned firearm;

5. I admit and stipulate that, at the time I knowingly possessed the firearm listed above, I knew I was a prohibited person, having been previously convicted of a crime punishable by a term of imprisonment exceeding one year, specifically, Burglary of a Building, a felony, in the 4th District Court of Rusk County, Texas, in cause number CR11-052, on October 8, 2014, and, as such, I was aware that I was prohibited from possessing firearms;

6. I admit and stipulate that I knowingly possessed the firearm as a prohibited person in or affecting interstate or foreign commerce. I admit that the United States could prove that the firearm I possessed had been previously shipped or transported in interstate commerce;

7. I admit and stipulate that I knowingly possessed the firearm in connection with another felony offense, namely Evading Arrest or Detention with a Motor Vehicle. Namely, I later admitted to officers that the reason I evaded detention was due to my unlawful possession of the firearm; and,

8. I also agree that the United States is entitled to a judgment of forfeiture against me for the following firearm:

- 1) A Taurus, model 709 Slim, 9mm caliber pistol, bearing serial number TJT92627.

DEFENDANT'S SIGNATURE AND ACKNOWLEDGEMENT

I have read (or had read to me) this Factual Basis and I am pleading guilty to Count One of the indictment in this case because I am guilty of the violation alleged. I have had an opportunity to consult with an attorney and I am satisfied with the advice and counsel that he has provided me. I acknowledge that I violated 18 U.S.C. § 922(g)(1) (Felon in Possession of a Firearm). I hereby stipulate that the facts described above are true and correct and accept them as the uncontested facts of this case.

Dated: 12/27/2023

BRADLEY KYLE MCGEE
Defendant

DEFENSE COUNSEL'S SIGNATURE AND ACKNOWLEDGEMENT

I have read this Factual Basis and the Indictment and have reviewed them with my client. Based on my discussions with the defendant, I am satisfied that the defendant understands the Factual Basis and the Indictment and that he has signed the Factual Basis voluntarily.

Dated: 12/27/2023

JON HYATT
Attorney for Defendant